

Message Text

CONFIDENTIAL

PAGE 01 STATE 099180

20

ORIGIN EUR-25

INFO OCT-01 ADP-00 DODE-00 EB-11 L-03 CIAE-00 INR-10

NSAE-00 RSC-01 PM-07 NSC-10 SS-15 /083 R

DRAFTED BY EUR/ WE: EJBEIGEL: VE

5/23/73 EXT 23746

APPROVED BY EUR/ WE: RDVINE

OSD/ISA - COL. JD TERRY

OSD/ISA/ EUR - CLLOYD

USAF/ GC - CKENT

OSD/ GC - JALLEN

EB/ AVP - JS GRAVATT

L/ PM - LG FIELDS

----- 017854

R 232123 Z MAY 73

FM SECSTATE WASHDC

TO AMEMBASSY PARIS

INFO USCINCEUR

CINCUSAFE

C O N F I D E N T I A L STATE 099180

E. O. 11652: GDS

TAGS: F, ETRN, MARR

SUBJ: RELIEF FROM MILITARY OVERFLIGHT CHARGES BY FRANCE

1. THE EMBASSY IS REQUESTED TO RAISE THIS SUBJECT WITH THE APPROPRIATE FRENCH AUTHORITIES, AND IN DOING SO BEAR IN MIND THE OVERRIDING IMPORTANCE OF THE CONTINUATION OF THE PRESENT EXTENSIVE MILITARY OVERFLIGHT PRIVILEGES GRANTED BY THE FRENCH GOVERNMENT TO THE U. S. UNDER ANNUAL OVERFLIGHT AGREEMENTS.

2. THE OBJECTIVE IS TO SECURE RELIEF FROM CHARGES WHICH HAVE BEEN IMPOSED BY FRANCE SINCE NOVEMBER 1971 ON U. S. MILITARY OVERFLIGHTS THROUGH AIRSPACE OF FRANCE. THE BILLINGS RELATE TO USE OF AIR NAVIGATION FACILITIES AND SERVICES DURING GENERAL AIR

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 099180

TRAFFIC FLIGHTS, AND ARE PURSUANT TO A EUROCONTROL NOTICE TO OPERATORS WHICH BECAME EFFECTIVE IN NOVEMBER 1971.

3. THE NOTICE PROVIDES THAT CHARGES WILL NOT APPLY TO NON-EUROCONTROL MEMBERS MILITARY AIRCRAFT IF AGREEMENTS OR UNDERSTANDINGS EXIST BETWEEN NON- MEMBERS AND EUROCONTROL PARTICIPANTS PROVIDING FOR SUCH EXEMPTION. OF THE ELEVEN GOVERNMENTS PARTICIPATING IN THE EUROCONTROL CHARGING SCHEME, ONLY AUSTRIA, IRELAND, SWITZERLAND AND FRANCE ARE CHARGING US. BIMONTHLY BILLINGS HAVE BEEN SUBMITTED TO THE USAF BY EUROCONTROL HEADQUARTERS AT BRUSSELS ON BEHALF OF THESE FOUR GOVERNMENTS. WE HAVE APPROACHED THE OTHER THREE (SO FAR WITHOUT POSITIVE RESULTS) AND NOW WISH TO APPROACH THE FRENCH.

4. THE EMBASSY SHOULD POINT OUT THAT WHILE WE OF COURSE CONTINUE TO PAY FOR SERVICES WHICH HAVE BEEN RENDERED AT THE REQUEST OF U. S. MILITARY AIRCRAFT COMMANDERS OR OTHER U. S. AUTHORITIES, WE BELIEVE IT IS CUSTOMARY INTERNATIONAL PRACTICE TO EXEMPT SUCH STATE AIRCRAFT FROM OTHER FEES IMPOSED ON CIVIL AIRCRAFT, SUCH AS FOR THE USE OF FIXED FACILITIES DURING OVERFLIGHTS.

5. FYI WE HAVE ESTIMATED THAT THE PORTION OF EUROCONTROL BILLINGS WHICH REPRESENTS USE BY U. S. MILITARY AIRCRAFT OF AIRSPACE OF FRANCE MAY AMOUNT TO AS MUCH AS \$100,000 A

YEAR END FYI. DEFENSE WISHES TO SEEK CANCELLATION OF OUTSTANDING CHARGES BY THE FRENCH GOVERNMENT AS WELL AS AGREEMENT TO EXEMPT U. S. MILITARY AIRCRAFT FROM SUCH FURTHER CHARGES.

6. IN CONSULTATION WITH THE AIR ATTACHE, THE EMBASSY SHOULD TAKE THIS UP WITH THE FRENCH AUTHORITIES AS SOON AS POSSIBLE. THE EMBASSY MAY POINT OUT THAT THE U. S. APPLIES THE PRINCIPLE OF SUCH EXEMPTIONS TO FOREIGN MILITARY AIRCRAFT USING USG FACILITIES, AND NOTE THE EXAMPLE OF FAF USE OF FIXED NAVIGATIONAL AIDS WITHOUT CHARGE IN THE CASE OF AIRCRAFT CURRENTLY FLYING BETWEEN FRANCE AND TAHITI, FOR WHICH WE GRANT OVERFLIGHT RIGHTS EACH YEAR IN CONNECTION WITH FRENCH NUCLEAR TESTS; AS WELL AS A VARIETY

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 099180

OF OTHER MILITARY OVERFLIGHT PRIVILEGES WE GRANT TO THE FRENCH, LISTED IN THE TABLE RECENTLY POUCHED TO GLITMAN.

7. WE ARE NOT AWARE THAT THE FRENCH REGULATIONS UNDER WHICH WE NEGOTIATE ANNUAL MILITARY OVERFLIGHT AGREEMENTS INCLUDE ANY PROVISIONS FOR THESE CHARGES INDEPENDENTLY OF THE EUROCONTROL POLICY ADOPTED IN 1971. FURTHERMORE, AND

MOST IMPORTANT, THESE BILLINGS BY FRANCE UNDER THE EURO-CONTROL ARRANGEMENTS ARE INCONSISTENT IN SPIRIT WITH FRENCH ADHERENCE TO NATO STANAG 3113 WHICH PROVIDES, IN ITS ANNEX A, THAT USE OF MILITARY AIRFIELDS, HANGERS, NAVIGATIONAL AIDS, TRAFFIC CONTROL AND OTHER USUAL SERVIC-ING FACILITIES, IS FREE OF CHARGE WHERE NO APPRECIABLE EXTRA EXPENSE TO THE HOST NATION IS INVOLVED. OTHER NATO COUNTRIES PARTICIPATING IN EUROCONTROL EXEMPT U. S. MILI-TARY AIRCRAFT FROM THE EUROCONTROL CHARGES.

-

8. PLEASE ADVISE OF FRENCH REACTION.

9. DEFENSE CONCURS. RUSH

CONFIDENTIAL
NMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 23 MAY 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: willialc
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE099180
Document Source: CORE
Document Unique ID: 00
Drafter: EJBEGEL: VE
Enclosure: n/a
Executive Order: RR
Errors: n/a
Film Number: n/a
From: SECSTATE WASHDC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730551/aaaajopn.tel
Line Count: 130
Locator: TEXT ON-LINE
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: willialc
Review Comment: n/a
Review Content Flags:
Review Date: 20 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <20-Aug-2001 by izenbei0>; APPROVED <09-Oct-2001 by willialc>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 980226
Subject: RELIEF FROM MILITARY OVERFLIGHT CHARGES BY FRANCE
TAGS: ETRN, MARR, FR, ETRN
To: CINCUSAFE
PARIS
USCINCEUR
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005